



General Assembly

February Session, 2000

Amendment

LCO No. 5519

Offered by:

REP. TULISANO, 29th Dist.

To: Subst. House Bill No. 5788 File No. 328 Cal. No. 261
(As Amended)

***"An Act Concerning Certification And Background
Checks For Home Health Aides And Background
Checks For Emergency Medical Technicians, For
Certain Caregivers And For Nursing Home
Employment."***

1 After section 14, add the following and renumber the remaining
2 section accordingly:

3 "Sec. 15. (NEW) The organized militia or National Guard is
4 designated a law enforcement agency for purposes of participation in
5 distributions under section 54-36i of the general statutes.

6 Sec. 16. Section 54-36i of the general statutes is repealed and the
7 following is substituted in lieu thereof:

8 (a) There is established and created an account of the General Fund
9 to be known as the "drug assets forfeiture revolving account" for the
10 purpose of providing funds for substance abuse treatment and
11 education programs and for use in the detection, investigation,
12 apprehension and prosecution of persons for the violation of the laws

13 pertaining to the illegal manufacture, sale, distribution or possession of
14 controlled substances.

15 (b) The account shall consist of the proceeds from the sale of
16 property and moneys received and deposited pursuant to section 54-
17 36h.

18 (c) Moneys in such account shall be distributed as follows: (1)
19 Seventy per cent shall be allocated to the Department of Public Safety,
20 [and] local police departments, the organized militia and the National
21 Guard pursuant to subsection (d) of this section, fifteen per cent of
22 which shall be used for purposes of drug education and eighty-five per
23 cent of which shall be used for the detection, investigation,
24 apprehension and prosecution of persons for the violation of laws
25 pertaining to the illegal manufacture, sale, distribution or possession of
26 controlled substances and for the purposes of police training on gang-
27 related violence as required by section 7-294l, (2) twenty per cent shall
28 be allocated to the Department of Mental Health and Addiction
29 Services for substance abuse treatment and education programs, and
30 (3) ten per cent shall be allocated to the Division of Criminal Justice for
31 use in the prosecution of persons for the violation of laws pertaining to
32 the illegal manufacture, sale, distribution or possession of controlled
33 substances.

34 (d) Expenditures from the account allocated to the Department of
35 Public Safety, [and] local police departments, the organized militia and
36 the National Guard shall be authorized by a panel composed of: (1)
37 The Commissioner of Public Safety or [his] said commissioner's
38 designee, (2) the commander of the state-wide narcotics task force or
39 [his] said commander's designee, and (3) the president of the
40 Connecticut Police Chiefs Association or [his] said president's
41 designee. The panel shall adopt procedures for the orderly
42 authorization of expenditures, subject to the approval of the
43 Comptroller. Such expenditures may be authorized only to the
44 Department of Public Safety, [and] to organized local police
45 departments within this state, to the organized militia and the National

46 Guard. Such expenditures shall be held by the Department of Public
47 Safety, [and] the various organized local police departments, the
48 organized militia and the National Guard in accounts or funds
49 established for that purpose. In no event shall the expenditures be
50 placed in a state or town general fund and in no event shall the
51 expenditures be used for purposes other than those provided in
52 subdivision (1) of subsection (c) of this section. The panel shall ensure
53 the equitable allocation of expenditures to the Department of Public
54 Safety, [or] any local police department, [which] the organized militia
55 or the National Guard to the extent that each entity participated
56 directly in any of the acts which led to the seizure or forfeiture of the
57 property so as to reflect generally the contribution of said department,
58 [or] such local police department, the organized militia or the National
59 Guard in such acts. The panel shall authorize expenditures from the
60 account for the reimbursement of any organized local police
61 department, the organized militia or the National Guard which has
62 used its own funds in the detection, investigation, apprehension and
63 prosecution of persons for the violation of laws pertaining to the illegal
64 manufacture, sale, distribution or possession of controlled substances
65 and which makes application to the panel for reimbursement.

66 (e) Moneys remaining in the drug assets forfeiture revolving
67 account at the end of a fiscal year shall not revert to the General Fund
68 but shall remain in the revolving account to be used for the purposes
69 set forth in this section."